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Dated: January 13, 2005

Signature: 

(Kevin M. Kocun, Patent Agent)

Docket No.: SPINE 3.0-455 CONT I  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Zubok et al.

Application No.: 10/776,491

Group Art Unit: 3738

Filed: February 11, 2004

Examiner: C. L. Miller

For: CERVICAL DISC REPLACEMENT METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

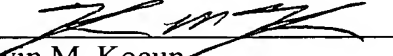
Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: January 13, 2005

Respectfully submitted,

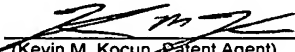
By   
Kevin M. Kocun  
Patent Agent  
Registration No.: 54,230  
LERNER, DAVID, LITTENBERG,  
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600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Agent for Applicant



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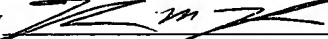
**REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)**

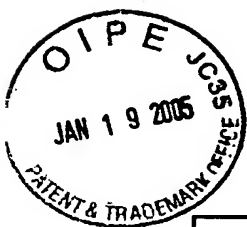
Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

Dated: January 13, 2005

Respectfully submitted,

By   
Kevin M. Kocun  
Patent Agent  
Registration No.: 54,230  
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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,491-Conf. #3254
				Filing Date	February 11, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3738
				Examiner Name	C. L. Miller
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-455 CONT I

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-6,113,637	09-05-2000	Gill et al.	
	AB	US-5,562,738	10/1996	Boyd et al.	
	AC	US-6,019,792	02/2000	Cauthen.	
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	AN	US-2001/0005796-A1	06-28-2001	Zdelblich et al.	
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	AP	US-2002/0107571-A1	08-08-2002	Foley	
	AQ	US-2003/0078668-A1	04-24-2003	Michelson	
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	AC1	US-6,241,769-B1	06-05-2001	Nicholson et al.	
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	AH1	US-2003/0149482-A1	08-07-2003	Michelson	
	AI1	US-2003/0216744-A1	11-20-2003	Longhini et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/776,491-Conf. #3254
				Filing Date	February 11, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3738
				Examiner Name	C. L. Miller
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-455 CONT I

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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